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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/706,213

11/12/2003

Reggie Davis

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6327

7590

11/15/2005

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EXAMINER

HOFFBERG, ROBERT JOSEPH

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/706,213

Applicant(s)

DAVIS ET AL.



Examiner

Robert J. Hoffberg

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/12/03.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/12/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Detailed Action***

***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the addition basepan as claimed in Claim 25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 4, 6, 12, 13, 15, 16, 18 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Buchanan (US 6,459,570).

With respect to Claim 1, Buchanan teaches a basepan assembly for a panel board (Fig. 1, #10), the basepan assembly comprising: a basepan (Fig. 1, #26) having a bottom portion (Fig. 1, #30) and a least one side wall (Col. 6, line 58, #202); a first bus bar (Fig. 1, #32) mounted in the bottom portion of the basepan; and a second bus bar (Col. 6, lines 55-64 for mounting #34) mounted proximate the side wall.

With respect to Claims 3 and 15, Buchanan further teaches wherein the sidewall includes fasteners (Fig. 10, #204, #206, #212 and #214) coupling the second bus bar to the sidewall.

With respect to Claims 4 and 16, Buchanan further teaches wherein the basepan includes a plurality of phase (Col. 1, line 63) barriers.

With respect to Claims 6 and 18, Buchanan further teaches wherein the fasteners are integrally formed (Fig. 10, #204, #206, #212 and #214) with the sidewall (Col. 6, line 58, #202).

With respect to Claims 12 and 24, Buchanan further teaches wherein the second bus bar (Col. 6, lines 55-64 for mounting #34) includes a side portion (#34 under Fig. 10, #210) to support the second bus bar along side the sidewall (Col. 6, line 58, #202).

With respect to Claim 13, Buchanan teaches a load center comprising: an enclosure (Fig. 1, #10) defining an interior space; and a basepan assembly (Fig. 1, #26) mounted in the enclosure, the basepan assembly comprising: a basepan having a bottom (Fig. 1, #30) portion and at least one side wall (Col. 6, line 58, #202); a first bus bar (Fig. 1, #32) mounted in the bottom portion of the basepan; and a second bus bar (Fig. 1, #34) mounted proximate the side wall (Col. 6, lines 55-64 for mounting #34).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 7, 8, 11, 14, 19, 20, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan (US 6,459,570).

With respect to Claims 2 and 14, Buchanan teaches the basepan assembly and the load center of claims 1 and 13, respectively and that the first bus bar includes a plurality of bus stabs (Fig. 1, #48). Buchanan does not teach stabs on the second bus bar. While Buchanan fails to disclose that the second bus bar include a plurality of bus stabs, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to that the second bus bar could have a plurality of bus stabs or any other shape or features which will meet the intend application to allow the circuit breakers to be in contact with the bus bar.

With respect to Claims 7, 8, 19 and 20, while Buchanan does not teach that the basepan assembly or the load center includes a groove of the same length as the second bus bar configured to receive this bus bar, it does teach a groove (Fig. 5, #76) of the same length configured to receive the first bus bar. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to that the second bus bar could have a fastening means similar to the first bus bar for retaining the second bus bar.

With respect to Claims 11 and 23, Buchanan further teaches wherein the bus stabs of the first and second bus bars are aligned ninety degrees (see Fig. 10) from each respective bus bar.

With respect to Claim 25, Buchanan further teaches a basepan assembly (Fig. 1, #26). While Buchanan shows a single basepan assembly, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the load center of Buchanan and have multiple basepan assemblies in the load center, since it has been held that mere duplication of parts involves only routine skill in the art (see *In re Harza*, 274 F. 2d 669, 124 USPQ 378 (CCPA 1960)).

5. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan (US 6,459,570) as applied to the claims above, and in view of Barner (US 4,740,865).

With respect to Claims 5 and 17, Buchanan teaches the basepan assembly and load center of claims above. Buchanan does not teach that the phase barriers are integrally formed with the basepan. Barner teaches that the phase barriers (Col. 3, lines 19+) are integrally formed with the basepan (Fig. 2, #10). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the basepan assembly of Buchanan with that of Barnes for the purpose of using the basepan as an insulated support member to separate and position multiple bus bars with different electrical phases.

6. Claims 9, 10, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan (US 6,459,570) as applied to the claims above, and in view of M'Sadoques et al. (US 4,646,200).

With respect to Claims 9 and 21, Buchanan teaches the basepan assembly and the load center of claims above. Buchanan does not disclose stab stops. M'Sadoques et al. teaches wherein the basepan includes a plurality of stab stops (Fig. 5, #35) to locate and position the bus stabs of a bus bar (Fig. 5, #56 on surface #16). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the basepan assembly of Buchanan with that of M'Sadoques et al. for the purpose of providing a location to mount the bus stabs and circuit breakers.

With respect to Claim 10 and 22, Buchanan does not disclose stab stops. M'Sadoques et al. further teaches wherein the stab stops are integrally (Col. 2, line 31) formed with the basepan (Fig. 5, #11). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the basepan assembly of

Buchanan with that of M'Sadoques et al. for the purpose of reducing the number of components and their costs.

7. Claims 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan (US 6,459,570) in view of Hancock et al. (US 4,916,574).

With respect to Claim 26, Buchanan teaches a method for mounting a bus bar in a basepan having a bottom (Fig. 1, #30) portion and a sidewall (Col. 6, line 58, #202), the method including the steps of: providing a bus bar (Fig. 1, #34) having a bottom edge and a top edge; providing a fastener (Fig. 10, #206) mounted on the sidewall; installing the bus bar bottom edge in the groove; and coupling (Col. 6, lines 44+) the bus bar to the sidewall with the fastener. Buchanan does not teach a groove in the bottom portion proximate the sidewall. Hancock et al. teaches providing a groove (Fig. 2, #26) in the bottom portion proximate the sidewall (Fig. 2, #30). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Buchanan with that of Hancock et al. for the purpose of providing a groove to align and retain the bus bar in place.

With respect to Claim 27, Buchanan further teaches including the step of providing a phase barrier (Col. 1, line 63). While Buchanan does not teach the position of the phase barriers, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Buchanan and position the phase barriers on the bottom portion of the basepan or any other portion which will meet the intend application to insulate the different electrical phases from each other.



With respect to Claim 28, Buchanan fails to teach the length of the groove in the basepan. Hancock et al. teaches wherein the groove (Fig. 2, #26) is at least as long (Col. 1, lines 49-52) as the side (Fig. 2, #30) portion of the bus bar. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Buchanan with that of Hancock et al. for the purpose of providing a groove as long as the side portion of the bus bar to retain and insulate it from the panel box and other bus bars.

With respect to Claim 29, Buchanan further teaches including the step of deflecting (Col. 4, line 51) the sidewall (Fig. 10, #200, #204 and #206) during installation of the bus bar (Fig. 1, #34).

With respect to Claim 30, Buchanan further teaches, wherein the fastener is a snap-type member and includes the step of engaging the snap-type member (Fig. 10, #206 and Col. 4, line 51) over the top edge (see Fig. 10) of the bus bar.

8. Claims 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan (US 6,459,570) in view of Hancock et al. (US 4,916,574) as applied to claim 26, above, and in further view of M'Sadoques et al. (US 4,646,200).

With respect to Claim 31, Buchanan in view of Hancock et al. teaches the method of claim 26. They fail to teach a method including a bus stab stop. M'Sadoques et al. teaches providing a bus stab stop (Fig. 5, #35) formed in the bottom portion (see Fig. 5) of the basepan to locate and position a bus stab on the bus bar. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the basepan assembly of Buchanan with that of Hancock et al.,

with further that of M'Sadoques et al. for the purpose of providing a location to mount the bus stabs and circuit breakers.

### ***Conclusion***

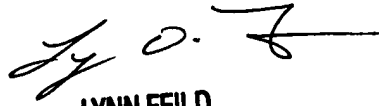
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Davis et al (US 2,985,710) teaches edgewise mounting of bus bars.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH

  
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